

March 8, 2005

Notice to Contractors/Consultants

The Indiana Department of Administration Public Works Division (IDOA/PWD), acting through the Indiana Department of Natural Resources, Division of Water (IDNR/DOW) is soliciting responses to the enclosed Request for Proposals (RFP).

Please prepare a response to the RFP in accordance with the statement of work, proposal preparation section, and specifications contained in this document.

All responses must be received at the address listed below no later than 2PM Eastern Standard Time on April 28, 2005. All proposals must be addressed to:

Indiana Department of Administration
Public Works Division
402 West Washington Street, W467
Indianapolis, IN 46204

All questions regarding this RFP must be submitted in writing to the above address or to Dale Gick via fax (317-233-4579) no later than 2PM Eastern Standard Time on April 20, 2005.

Indiana Business Preference: Please indicate if you would or would not like to claim the Indiana Business Preference as provided in IC 4-13.6-6-2.7(f). The information must be on company letterhead.

Ethics Compliance: The contractor and its agents shall abide by all ethical requirements that apply to persons who have a business relationship with the State, as set forth in Indiana Code § 4-2-6 et seq., the regulations promulgated there under, and Executive Order 04-08, dated April 27, 2004. If the Contractor is not familiar with these ethical requirements, the Contractor should refer any questions to the Indiana State Ethics Commission, or visit the Indiana State Ethics Commission website at “<http://www.in.gov/ethics>”. If the Contractor or its agents violate any applicable ethical standards, the State may, in its sole discretion, terminate this contract immediately upon notice to the Contractor. In addition, the Contractor may be subject to penalties under Indiana Code § 4-2-6-12.

INITIAL PRE-PROPOSAL CONFERENCE WILL BE ON MARCH 21ST AT 1:00PM (EST) IN THE INDIANA GOVERNMENT CENTER SOUTH, TRAINING CENTER 6 (TO BE RENAMED CONFERENCE ROOM 19).

REQUEST FOR PROPOSAL
FOR
DESIGN/BUILD: DAM AND PUBLIC ACCESS SITE
AT
BRUSH CREEK RESERVOIR, JENNINGS COUNTY



FOR
INDIANA DEPARTMENT OF ADMINISTRATION, PUBLIC
WORKS DIVISION
THROUGH
INDIANA DEPARTMENT OF NATURAL RESOURCES,
DIVISION OF WATER

March 2005

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Attachment A (Minority/Woman Owned Business Plan Information)
Attachment B (Draft Contract Form)
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Included: House Enrolled Act No. 1080, Contractor’s Affidavit of Subcontractors
Employed, Domestic Steel Affidavit)
Attachment D (January 2005 Wage Scale for Jennings County)

COMPACT DISK FILES

General Site Information	“01 maps&photos.ppt”
Geology and Seismic Information	“02 geology and seismic.ppt”
Embankment 2004 Survey Data	“03 2004embankmentsurvey.xls”
Control Weir (Principal Spillway) 2003 Survey Data	“04 2003controlweirsurvey.xls”
Survey Control Points	“05 control points.pdf”
Conceptual Plan	“06 Conceptual Plan.ppt”
“Guidelines for Indiana Dams”	“07 Guildlines4IN-Dams.pdf”
Hydraulic and Hydrology Requirements	“08 Dam HH submittal info.doc”
HEC-1 output data	“09 HEC-1output.pdf”
HEC-RAS data	“10 HECRAS.zip”
ADA Access Site Photos	“11 ADA Photos.ppt”
DNR Mitigation Requirements	“12 DNR Mitigation.html”
Request for Proposals Document	“RFP.doc”

SECTION ONE

GENERAL INFORMATION AND REQUESTED PRODUCTS/SERVICES

1.1 INTRODUCTION

The Indiana Department of Administration Public Works Division (IDOA/PWD), acting through the Indiana Department of Natural Resources, Division of Water (IDNR/DOW), requires the design and construction of a project to address dam safety issues, the design and construction of a new outlet control valve, the design and construction of a public access boat ramp, and the preparation, design, and implementation of a mitigation plan at Brush Creek Reservoir, Jennings County. Brush Creek Reservoir serves as a back-up water supply source for the City of North Vernon and the Muscatatuck State Developmental Center. Due to dam safety concerns, the lake has been managed at a lower than normal level since August of 2002. This project will allow the reservoir to be restored to its normal pool elevation of 715' NGVD'29. It is the intent of IDOA/PWD to solicit responses to this Request for Proposals (RFP) in accordance with the statement of work, proposal preparation section, and specifications contained in this document.

It is our expectation that this project be approached by a multi-disciplinary team (Project Team) led by a lead/primary contractor, with a team that includes successful design and construction experience in dam safety in Indiana, hydraulic engineering, local geology, construction management, and project management.

1.2 DEFINITIONS AND ABBREVIATIONS (N/A)

1.3 PURPOSE OF THE RFP

This RFP is being issued in order to retain the design and construction services necessary to accomplish the following: The Project Team, led by a lead/primary contractor, shall design and construct items to include: excavation of rock south of the existing dam embankment to create an emergency spillway capable of passing the 100% Probable Maximum Precipitation event (in conjunction with the principal spillway), with the crest of the emergency spillway set at or above the reservoir's 100-year frequency flood elevation; placement of the excavated rock on the back slope of the dam no steeper than a slope of 7:1; extension, support, and partial sleeving of the existing outlet pipe to accept the new slope; installation of toe drain/filter system under the rock fill, separate from the outlet pipe; reconstruction of the concrete weir in the principal spillway to restore normal pool; grouting and construction of a concrete cutoff wall to address flow in a significant seepage system adjacent to the left (south) abutment of the dam; dental grouting in the project area; a new public access site south of the dam; mitigation plan preparation, design, and implementation; and, other related items as described in Section 2.

1.4 SCOPE OF THE RFP

This document contains the following information that may be useful to anyone wishing to submit a proposal:

Section One -- A description of factors affecting the proposal process and procedures.

Section Two -- A description of the required format and subject content of any acceptable proposals offered in response to this document.

Section Three -- A general discussion of the method that will be used by an evaluation team in selecting a respondent to recommend to State officials with whom to enter contract negotiations.

Attachments -- Details supporting this basic RFP document.

1.5 ISSUING OFFICE

In accordance with Indiana statute, IDOA/PWD has issued this RFP through the IDNR. The staff of IDNR and others have prepared the content. This RFP is being posted to the State of Indiana website (<http://www.in.gov/idoa/pwd>). One copy of this RFP may be provided free of charge.

1.6 DUE DATE FOR PROPOSALS AND QUESTIONS

All proposals must be received at the address below by the Public Works Division no later than 2 PM Eastern Standard Time on April 28, 2005. Each respondent must submit one original (marked "Original") and five complete copies of the proposal, including the transmittal letter and other related documentation as required in this RFP. A complete copy of the proposal must be provided on a Compact Disk. No more than one proposal per respondent should be submitted. Each copy of the proposal must follow the format indicated in Section Two of this document. Unnecessarily elaborate brochures or other presentations, beyond that sufficient to present a complete and effective proposal, are not desired. All proposals must be addressed to:

Public Works Division
Indiana Department of Administration
402 West Washington Street, W467
Indianapolis, IN 46204

All proposal packages must be clearly marked with the RFP title, due date, and time due. Any proposal received by the Public Works Division after the due date and time will not be considered. Any late proposals will be returned, unopened, to the respondent.

All questions regarding this RFP must be submitted in writing to the above address no later than 2 p.m. Eastern Standard Time, 7 business days prior to the date established for receipt of proposals. Inquiries may also be submitted via fax **(317-233-4613)** and must be received by IDOA/PWD by the time and date indicated above. Questions submitted after 2 p.m. may not be considered. IDOA/PWD will respond to questions via addenda issued 5 days prior to date established for receipt of proposals. Copies of the addenda will be placed on the Public Works page on the State's web site for downloading, distributed to all prospective respondents who are known to have received a copy of the original RFP, or both. Only answers signed by the Director of the Public Works Division or designee or posted on the State's web site will be considered official and valid by the State. No negotiations, decisions, or actions shall be initiated by any respondent as a result of any verbal discussion with any State employee.

Inquiries are not to be directed to any staff member of the Department of Natural Resources. Such action may disqualify respondent from further consideration for a contract as a result of this RFP.

1.7 PRE-PROPOSAL CONFERENCE

It is the decision of the State that two (2) pre-proposal conferences are required for this RFP. An initial pre-proposal conference will be held in the Indiana Government Center South at 1pm Eastern Standard Time on March 21, 2005 and will introduce the project and the RFP process. The second pre-proposal conference will be held at the project site at 10am Eastern Standard Time on March 31, 2005.

1.8 MODIFICATION OR WITHDRAWAL OF OFFERS

Responses to this RFP may be modified or withdrawn in writing prior to the exact hour and date specified for receipt of proposals. The respondent's authorized representative may also withdraw the proposal in person, providing his or her identity is made known and he or she signs a receipt for the proposal. Proposals may not be withdrawn after the proposal due date and time has passed.

Modification to or withdrawal of a proposal received by the Public Works Division after the exact hour and date specified for receipt of proposals will not be considered. If it becomes necessary to revise any part of this RFP or if additional data is necessary for an exact interpretation of provisions of this RFP prior to the due date for proposals, an addendum will be posted by the Public Works Division to the State of Indiana website. If such addenda issuance is necessary, IDOA reserves the right to extend the due date and time of proposals to accommodate such interpretations or additional data requirements.

1.9 PRICING

IDOA/PWD requests the pricing associated with this RFP be a firm proposal price that must remain open and in effect for a period of not less than 180 days from the proposal due date. Pricing should be broken into broad categories based on the major work items contained within the project. Pricing for the activities associated with the design and construction of the public access boat ramp and the preparation, design, and implementation of the mitigation plan must be included as separate cost item.

Prevailing wages must be paid according the most current, approved wage scale.

1.10 DISCUSSION FORMAT

The State reserves the right to conduct discussions, either oral or written, with those respondents determined by the State to be reasonably viable to being selected for award. If discussions are held, the State may request best and final offers. IDOA Public Works will schedule all discussions. Any information gathered through oral discussions should be confirmed in writing.

The State reserves the right to reject any or all proposals received or to award, without discussions or clarifications, a contract on the basis of initial proposals received. Therefore, each proposal should contain the respondent's best terms from a price and technical standpoint. The State will follow guidelines established in IC 5-23-5.

1.11 REFERENCE SITE VISITS

The State may request a site visit to a respondent's working support center to aid in the evaluation of the respondent's proposal.

1.12 TYPE AND TERM OF CONTRACT

In accordance with IC 5-23-6, the State may enter into an agreement for a term not to exceed five (5) years with board approval.

1.13 CONTRACT OBLIGATIONS

Attachment B of this document is the form of the expected contract resulting from this RFP. Although the State anticipates that any respondent submitting a proposal will provide the major portion of the products and services as requested, subcontracting by the respondent is acceptable in performing the requirements of this RFP. However, the respondent must obtain the approval of IDOA/PWD before subcontracting any portion of the project's requirements as described in Section 2.3.10. The respondent is responsible for the performance of any obligations that may result from this RFP and shall not be relieved by the non-performance of any subcontractor. Any respondent's proposal must identify all subcontractors and outline the contractual relationship between the respondent and each subcontractor. Either a copy of the executed subcontract or a letter of agreement over the official signature of the firms involved must accompany each proposal. This RFP is subject to the Minority/Woman Business Development Program. The requirements are explained elsewhere in the RFP.

Any subcontracts entered into by the respondent must be in compliance with all State of Indiana statutes and be subject to the provisions thereof. For each portion of the proposed products and services to be provided by a subcontractor, the technical proposal must include the identification of the functions to be provided by the subcontractor and the subcontractor's related qualifications and experience.

The combined qualifications and experience of the respondent and any or all subcontractors will be considered in the State's evaluation. The respondent must furnish information to the State as to the amount of the subcontract, the qualifications of the subcontractor for guaranteeing performance, and any other data that may be required by the State. All subcontracts held by the respondent must be made available upon request for inspection and examination by appropriate State officials and such relationships must meet with the approval of the State.

1.14 CONFIDENTIAL INFORMATION

Respondents are advised that materials contained in proposals are subject to the Indiana Public Records Act, IC 5-14-3 *et seq.*, and, after the contract award, may be viewed and copied by any member of the public, including news agencies and competitors. Respondents claiming a statutory exception to the Indiana Public Records Act must place all confidential documents (including the requisite number of copies) in a sealed envelope clearly marked "Confidential" and must indicate in the transmittal letter and on the outside of that envelope that confidential materials are included. The respondent must also specify which statutory exception provision applies. The State reserves the right to make determinations of confidentiality. If the State does not agree that the information designated is confidential under one of the disclosure exceptions to the Indiana Public Records Act, it may either reject the proposal or discuss its interpretation of the allowable exceptions with the respondent. If agreement can be reached, the proposal will be considered. If agreement cannot be reached, the State will remove the proposal from consideration for award and return the proposal to the respondent. The State will not determine prices to be confidential information.

If the request for proposal process is terminated under IC 5-23-5-8, all proposals may, at the option of IDOA/PWD, be returned to the offerors, and the state may refuse to disclose the contents of the offers.

1.15 STATE OF INDIANA OBLIGATIONS

The State of Indiana accepts no obligations for costs incurred by respondents in anticipation of being awarded a contract.

The State of Indiana creates no obligation, expressed or implied, by issuing this RFP or by receipt of any responses submitted pursuant hereto. The award of any contract(s) as a result of this RFP shall be at the sole discretion of IDNR and IDOA/PWD. Neither this RFP nor any response (proposal) submitted hereto is to be construed as a legal offer.

1.16 CONTRACT COMPONENTS

Any or all portions of this RFP and normally any or all portions of the respondent's response will be incorporated by reference as part of the final contract. Proprietary or confidential material submitted properly (see Section 1.15) will not be disclosed.

1.17 PROPOSAL LIFE

All proposals made in response to this RFP must remain open and in effect for a period of not less than 180 days after the due date for proposals. Any proposal accepted by the State for the purpose of contract negotiations shall remain valid until superseded by a contract or until rejected by the State.

1.18 TAXES

The State of Indiana is exempt from federal, state, and local taxes. The State will not be responsible for any taxes levied on the respondent as a result of the contract resulting from this RFP.

1.19 PRE-QUALIFICATION

In accordance with IC 5-23-3-4, implementation of this project will be subject to provisions of the Public Works statutes (IC 4-13.6). All respondents must, therefore, be pre-qualified with the Public Works Certification Board prior to the date established for receipt of proposals. The Project Team Designer(s) must, individually or as a group, be pre-qualified in all of the following categories:

Civil Engineer Site Dev. & Road Design with experience in blasting and rock excavation
Dam Inspection
Structural Engineer Buildings and/or Bridges

The Project Team Contractor(s) must, individually or as a group, be pre-qualified in all of the following categories:

1629.03 Dam and Dike Construction
1794.01 Excavation with experience in rock excavation

Any subconsultant who contributes \$150,000 or more worth of work to the project must be pre-qualified with the Public Works Certification Board in the category for which they are working. Lists of currently pre-qualified firms are published on the Public Works website at www.IN.gov/idoa/pwd/certify. The website also offers application forms to be printed and submitted for non pre-qualified firms wishing to become pre-qualified. Questions related to the pre-qualification process may be addressed to:

Tracy Cross
(317) 232-3255

1.20 SECRETARY OF STATE REGISTRATION

In accordance with IC 5-22-16-4, before an out-of-state respondent can do business with the State, the respondent must be registered with the Indiana Secretary of State. If an out-of-state respondent does not have such registration at present, the respondent should contact

Secretary of State of Indiana
Corporation Division
402 West Washington Street, E018
Indianapolis, IN 46204
(317) 232-6576

for the necessary application form. It is each respondent's responsibility to register prior to the initiation of any contract discussions.

1.21 EQUAL OPPORTUNITY COMMITMENT

Pursuant to IC 4-13 and in accordance with 25 IAC 2-20, the Director of the Public Works Division of IDOA has determined that there is a reasonable expectation of minority business enterprise participation in this contract. Therefore, a contract goal of 17.4 percent Minority/Woman Business Enterprise participation has been established and all respondents and their subcontractors will be expected to comply with the regulation set forth in 25 IAC 2-20.

Compliance with these regulations will be considered to be a demonstration of the respondent's responsiveness and responsibility. Failure to comply with these regulations may result in the determination of the respondent as non-responsive. For further instructions, please consult 25 IAC 2-20.

1.22 MINORITY/WOMAN BUSINESS ENTERPRISE PARTICIPATION PLAN

In accordance with 25 IAC 2-20, the respondent is expected to submit within the proposal a Minority/Woman Business Enterprise participation plan or make an application for waiver from the contract goal. The MBE/WBE participation goal for this project is 17.4%. Failure to provide the minority business participation plan or to make an application for waiver of the participation goal at the time of proposal submission may result in the disqualification and rejection of the proposal. Please note that IDOA reserves the right to verify all information included on minority/woman business enterprise participation plans and applications for waiver from the contract goal before making final determinations of the respondent's responsiveness and responsibility.

By submission of the proposal, the respondent thereby acknowledges and agrees to be bound by the regulatory processes involving the State of Indiana's minority/woman business enterprise program. Questions involving the regulations governing the minority/woman business enterprise participation plan and the application for waiver from the contract goal should be directed to:

Minority Business Development
Indiana Department of Administration
402 W. Washington St., Room W479
Indianapolis, IN 46204
(317) 233-6607

1.23 U.S. MANUFACTURED

Each proposal must contain an explanation of what steps will be used to encourage the use of American-made products. The State does apply a U.S. Manufactured preference as set out in IC 5-22-15-21.

1.24 RECYCLED PRODUCTS

Each proposal should contain an explanation of what recycled materials are used and identify the recyclability of products offered in response to this RFP.

1.25 AMERICANS WITH DISABILITIES ACT

The respondent specifically agrees to comply with the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.* and 47 U.S.C. 225).

1.26 SUMMARY OF MILESTONES

The following timeline is intended to illustrate the expected time line for the RFP.

<u>ACTIVITY</u>	<u>COMPLETION DATE</u>
Respondent inquiry period ends	April 20, 2005
Final State responses to inquiries	April 25, 2005
Proposal submission date	April 28, 2005
Notice of discussions*	
Discussions*	
Request for best and final offers (BAFO)*	
Receipt of best and final offers*	

**These dates are subject to the determination of the need for discussions. If discussions are not required, the process could reach a completion date at least four weeks earlier than the listed date for contract signature.*

1.27 PROPOSAL AND PERFORMANCE BOND (25 IAC 1.1-1-5)

A proposal bond is not required for this solicitation. Builders risk insurance is not required for this project.

A performance bond and a payment bond in an amount equal to the total bid price of the submittal will be required to guarantee the performance of the selected respondent after the contract is signed. The performance bond must be in the form of a certified check, cashier's check, or a bond, acquired from a surety company registered with the Indiana Department of Insurance. The bond must remain in effect for the duration of the contract. Notwithstanding any other provisions relating to the beginning of the term, the contract shall not become effective until the Performance bond required by the contract is delivered in the correct form and amount to IDOA/PWD.

SECTION TWO PROPOSAL PREPARATION INSTRUCTIONS

2.1 GENERAL

To facilitate the timely evaluation of proposals, a standard format for proposal submission has been developed and is documented in this section. All respondents are required to format their proposals in a manner consistent with the guidelines described below:

- Each item must be addressed in the respondent's proposal or the proposal will be rejected.
- The transmittal letter should be in the form of a letter. The business and technical proposals must be organized under the specific section titles as listed below.

2.2 TRANSMITTAL LETTER

The Transmittal Letter must address the following topics except those specifically identified as "optional."

2.2.1 Summary of Ability and Desire to Supply the Required Products and Services

The transmittal letter must briefly summarize the respondent's ability to supply the requested products and services that meet the application requirements defined in Section Three of this RFP. The letter must also contain a statement indicating the respondent's willingness to provide the requested products and services subject to the terms and conditions set forth in the RFP including, but not limited to, the State's mandatory contract clauses and submission of a performance bond equal to the full amount of the bid.

2.2.2 Signature of Authorized Representative

A person authorized to commit the respondent to its representations must sign the transmittal letter. Such person's authority to so act must be consistent with the information contained in Section 2.2.1 of this RFP. **In the transmittal letter please indicate the principal contact for the proposal along with an address, telephone, e-mail (if available), and fax number.**

2.2.3 Other Information

This item is optional. Any other information the respondent may wish to briefly summarize will be acceptable.

2.3 BUSINESS PROPOSAL

2.3.1 General (Optional)

2.3.2 Respondent Company Structure (Optional)

2.3.3 Company Financial Information (Optional)

2.3.4 Facilities and Resources (Optional)

2.3.5 Required Contract Clauses (Optional)

2.3.6 Pricing and Charges

The State requests the pricing associated with this RFP be a firm proposal price that must remain open and in effect for a period of not less than 180 days from the proposal due date as well as any extensions agreed to in the course of contract negotiations.

A lump sum price shall be included in the proposal for the entire project, with add/deduct unit prices for certain tasks as specified in Section 2.4. In addition, the work associated with the design and construction of the public access site, and the mitigation plan preparation, design, and implementation should be listed as a separate cost item.

Prevailing wages must be paid according the most current, approved wage scale.

2.3.7 References

The respondent should include a list of at least three clients for whom the respondent has provided products and services that are the same or similar to those products and services requested in this RFP. Any state government for whom the respondent has provided these products and services should be included; also to be included should be clients with locations near Indianapolis, as site visits may be arranged. Information provided should include the name, address, and telephone number of the client facility and the name, title, and phone/fax numbers of a person who may be contacted for further information. The more similar the referenced products and services are to those requested in this RFP, the greater weight will be attached to the references in the State's evaluation process.

2.3.8 Registration to do Business

Respondents proposing to provide the products and services required by this RFP are required to be registered to do business within the state by the Indiana Secretary of State. The address contact information for this office may be found in Section 1.20 of this RFP. This process must be concluded prior to contract negotiations with the State. It is the successful respondent's responsibility to complete the required registration with the Secretary of State. The respondent must indicate status of registration, if applicable, in this section of the proposal.

2.3.9 Authorizing Document (Optional)

2.3.10 Subcontractors

The respondent must list any subcontractors that are proposed to be used in providing the required products and services. The subcontractor's responsibilities under the proposal, the subcontractor's form of organization, and an indication from the subcontractor of a willingness to carry out these responsibilities are to be included for each subcontractor. This assurance in no way relieves the respondent of any responsibilities in responding to this RFP or in completing the commitments documented in the proposal. The respondent must indicate which, if any, subcontractors qualify as a Minority Business under IC 4-13-16.5-2(d)(7). See Section 1.22 and Attachment A for Minority/Woman Business information.

2.3.11 Respondent Contract Requirements

This section is optional. If the respondent wishes to include any language other than that discussed in the Business Proposal, this language should be included in this section. For each clause included in this section, the respondent should indicate that the clause is required by the respondent in any contract resulting from this RFP and why it is required (if the required clause is unacceptable to the State, the respondent's proposal may be considered unacceptable) or indicate that the clause is desired (but not required) by the respondent in any contract resulting from this RFP.

2.4 TECHNICAL PROPOSAL

The Technical Proposal must be divided into the sections as described below. Every point made in each section must be addressed in the order given with the section name first stated, followed by the respondent's response. The same outline numbers must be used in the response. RFP language should not be repeated within the response. Where appropriate, supporting documentation may be referenced by a page and paragraph number. However, when this is done, the body of the technical proposal must contain a meaningful summary of the referenced material. The referenced document must be included as an appendix to the technical proposal with referenced sections clearly marked. If there are multiple references or multiple documents, these must be listed and organized for ease of use by the State.

The attached outline provides directions for the preparation of the technical proposal. Major technical components, as indicated, should be addressed and clearly referenced into a project timeline.

2.4.1 BACKGROUND

Brush Creek Reservoir is located in Jennings County, approximately three miles east of North Vernon, and approximately one mile north of U. S. Highway 50. The reservoir lies just east of the Muscatatuck State Development Center. The dam and the surrounding property associated with the reservoir is owned by the State of Indiana. Project area location maps, site photographs, and a 1952 typical section of the embankment are located on the attached compact disk ("*01 mapsandphotos.ppt*").

Brush Creek Reservoir was constructed in 1953 to provide supplemental water supply for the Muscatatuck State Developmental Center (MSDC) and the City of North Vernon, as well as providing a recreational asset for the area. Both the City of North Vernon and the MSDC draw water from intake points downstream of Brush Creek Reservoir in the Vernon Fork of the Muscatatuck River. During periods of low flow, water is released from the reservoir for withdrawal for public supply downstream. The water is released through an existing 24" concrete outlet pipe located at the base of the dam.

The reservoir has a normal surface area of approximately 150 acres, impounds approximately 2,000 acre-feet at normal pool, and lies in a watershed with an approximate area of 14.3 square miles. Normal lake level is at an elevation of 715' NGVD '29. The dam is a 45 feet tall earthen embankment with a top width of approximately 10 feet and a length of 400 feet. The downstream slope of the dam is approximately 2:1, and the upstream slope is approximately 3:1. Both slopes are protected by rock rip rap.

The principal spillway is 800 feet northeast of the existing dam embankment with an average width of 50 feet, and passes 50% of the Probable Maximum Precipitation (PMP). A low-head concrete weir, with the constructed low point at elevation 714.7' NGVD '29, located in the principal spillway, controlled the lake level. A 30-foot section of the concrete weir was removed in 2002 to an elevation of approximately 713' NGVD '29 to allow more effective, lower lake level management.

The dam is located in a complex geological region that would typically require extensive foundation and abutment treatment to develop a safe, dependable dam. Seepage associated with the foundation of the dam was noted as early as 1954. Seepage has been and continues to be a major problem with the embankment. The dam has been the subject of several studies. These studies have consistently noted an inherent problem associated with the fractured bedrock in this area. Many of the bedrock fractures were widened as water moved through the bedrock over long periods of time.

In August 2002, a sinkhole was discovered adjacent to the downstream (left) abutment of the dam, discharging approximately 500 gallons per minute during high lake levels. Dye-tracing and sandbagging efforts confirmed the location of the main inlet to this seepage system. The sinkhole system is dry when the lake is at or below a lake level elevation of 712' NGVD '29, which is three (3) feet below normal pool. Since discovery of the sinkhole, the lake has been managed at a lower than normal lake level to avoid continued erosion and seepage development until remedial action could be taken. A site geologic column and geologic cross-section of the embankment area, output results of a seismic survey and a plan view of the embankment area showing the locations of soil borings, seeps, seismic reading locations, etc. can be found on the attached compact disk ("*02 geologyandseismic.ppt*").

Studies conducted on the dam have also noted deficiencies in the capacity of the spillway system for the structure. The hazard classification for the structure, high hazard, places it in a category that requires a spillway system capable of safely passing 100% of the Probable Maximum Precipitation (PMP). The system at Brush Creek Reservoir will only pass about 50% of the PMP prior to overtopping the dam. The downstream slope of the embankment is too steep for present dam design and the slopes are difficult to maintain.

2.4.2 TOPOGRAPHIC SURVEYS

The proposal shall describe the general plan, timeline, and costs associated with the performance of a pre-construction topographic survey, post-construction topographic survey, and the preparation of as-built plans.

A preliminary site survey and control points have been established by IDNR's survey crew, and shall be used for initial design purposes. Point data (x,y,z) from a 2004 preliminary IDNR survey of the embankment area ("*03 2004embankmentsurvey.xls*"), a 2003 IDNR survey of the concrete weir in the principal spillway ("*04 2003weirsurvey.xls*"), and control point data ("*05 controlpoints.pdf*") are included on the attached CD.

2004 aerial photographs of the site are also available (for a fee) if survey data will be extracted photogramatically. Upon request, IDNR would send the 2004 aerial photograph negatives to a photo laboratory of our choice, and the requestor would be responsible for the costs of the prints and diapositives. The cost would be about \$100.00. The fee would be payable to the photo laboratory and not included as a part of this contract.

A pre-construction topographic survey shall be conducted at the site to confirm pre-construction elevations and topography. The initial site survey must be approved by the IDNR prior to construction.

A post-construction topographic survey shall be conducted at the site to confirm rock excavation/placement quantities and to prepare as-built plans. The post-construction survey will be field checked by IDNR, prior to acceptance.

All project site survey data must be based upon the IDNR's established control points and represented in NGVD '29 datum for vertical and NAD '83 for horizontal.

All survey data and as-built plans for the project shall be submitted in digital format and hard copy and sealed by an Indiana Licensed Surveyor licensed under IC 25-21.5-7. The as-built plans shall be confirmed by IDNR prior to final acceptance of the project.

2.4.3 DESIGN AND CONSTRUCTION OF DAM SAFETY PROJECT FEATURES

The proposal shall describe the general plan, timeline, and costs associated with the design and the construction of the works of improvement to bring the dam up to current dam safety standards. A conceptual drawing and site layout of the proposed project is located on the attached compact disk ("*06 Conceptual Plan.ppt*").

The major dam safety project features include:

- Excavation of rock (limestone) to create an emergency spillway located immediately south of the dam. The emergency spillway shall be designed and constructed to create a system that passes the 100% Probable Maximum Precipitation (PMP).

According to previous reports, the existing, principal spillway passes 50% of the PMP before overtopping the dam. The top elevation of the emergency spillway shall be at or above the 100-year frequency flood elevation for Brush Creek Reservoir of 720.5 ft, NGVD '29. The bottom section of the new spillway shall incorporate a pool/riffle system to mitigate for habitat losses created by the rock fill portion of the project.

- Placement of appropriately sized rock fill (from the excavation of the emergency spillway) on the back slope of the dam to no steeper than a 7:1 slope.
- Extension, support, and partial sleeving of the existing 24" outlet pipe to accept the new back slope; sleeving of the existing outlet pipe will be required from the outlet headwall continuing upstream to the control valve located in the center of the dam;
- Installation of an appropriately designed toe drain and graded rock filter system underlying the rock fill on the back slope groin of the dam to intercept both seepage flow and incidental drainage. This system must be separate from the outlet pipe, to allow visual monitoring of future seepage;
- Reconstruction of the lake level control weir located in the principal spillway with the constructed low point at elevation 714.7' NGVD '29;
- Control of critical seepage areas. Control of the sinkhole seepage system will be accomplished through grouting and the construction of a concrete cutoff wall at the inlet of the sinkhole seepage system.
- Dental grouting of exposed solution features in the proposed emergency spillway will be required, as needed.

The proposal shall include information on the following:

- Description of the methods and materials to be used for the rock excavation, including a general plan for minimizing and monitoring vibration during the rock excavation. The plan must be consistent with the Indiana Department of Transportation's specification for excavating rock (specification 203.15, 1995 Standard Specifications).
- Approximate size gradation of rock (minimum and maximum limits) for placement on the embankment.
- General information on the methods and materials for the outlet pipe extension and for the bedding of the outlet pipe extension. This task may include time schedule and pricing information for additional geotechnical investigation of the subsurface area along the outlet pipe extension alignment.
- General information for the installation of a toe drain and graded rock filter system on the back slope groin of the existing embankment.

The proposal shall provide information on the general plan (including staffing requirements and identification of hydraulic modeling that will be performed), timeline, and costs associated with the preparation of an Engineering Report and related information to support the design of the dam safety project features.

The Engineering Report will be used by IDNR as technical support for permitting under the Indiana Flood Control Act for Construction in a Floodway and for IDEM and COE permitting under Section 401 and 404 of the Clean Water Act, respectively. The proposed project timeline should include time for adequate permit review time prior to construction.

An initial submittal due as soon as possible after contracting shall include (Schematic Design Phase):

- Conceptual project drawings showing the location, dimensions, and construction parameters of all major dam safety features of the project.
- A disturbed area drawing showing maximum project limits, acreage of tree removal, and linear footage of stream impacts.

The Engineering Report shall be submitted and approved by IDNR and must include the following items (Design Development Phase):

- The Engineering Report shall be sealed by a Professional Engineer, licensed in the State of Indiana under IC 25-31-1-15, with experience in dam safety.
- A written engineering and geotechnical analysis of the proposed project supporting the design and a statement that the design meets current State of Indiana dam safety guidelines as set forth in the State of Indiana's Regulation of Dams Statute, IC 14-27-7.5, and consistent with the IDNR publication on the attached compact disk entitled, *General Guidelines for New Dams and Improvements to Existing Dams in Indiana* ("07 Guidelines4IN-Dams.pdf").

All supporting hydraulic and hydrologic modeling data to support the project design must be included in the Engineering Report. Please see the document on the attached compact disk entitled "Hydraulics and Hydrology Guidelines for use in preparation of submittals to Department of Natural Resources – DOW for review of dams ("08 Dam HH submittal.doc") and improvements to dams" for detailed information on the modeling data requirements. Hydraulic modeling information for the site from previous reports is included on the attached compact disk ("09 HEC1output.pdf and 10 HECRAS.zip"). The existing modeling information includes HEC-1 and HEC-RAS data.

Final Design Drawings and Specifications shall be submitted and approved by IDNR for all project features including but not limited to the following items (Construction Documents Phase):

- Final design drawings and specifications for all features of the project sealed by a professional engineer, licensed in the State of Indiana, with experience in dam safety.
 - Grouting plan(s), including mixture(s), for sinkhole seepage system grouting and dental grouting.
 - Final size gradation of rock (minimum and maximum limits) for placement on the embankment.
 - Plan for minimizing and monitoring vibration during rock excavation.
 - Methods and materials for the outlet pipe extension and for the bedding of the outlet pipe extension, including geotechnical data, if needed.
 - Methods and materials for the installation of the toe drain and graded rock filter system on the back slope groin of the embankment.
 - Concrete specifications, anchoring methods, dimensions and the base elevation for the concrete cutoff wall at the sinkhole seepage inlet.

Project cost information for this task shall be presented in a lump sum format for all design and construction tasks, with add/deduct unit prices for rock fill excavation/placement and grout mixture(s). The initial quantity of rock excavation/placement is 29,500 cubic yards. The initial quantity of grout mixture(s) is 50 cubic yards.

Construction of any dam safety project feature will not commence until written approval is obtained from IDNR, and all applicable permits are obtained.

2.4.4 Erosion Control Plan (RULE 5)

The proposal shall describe the general plan, timeline, and costs associated with the preparation, submittal, approval, and implementation of a construction site erosion control plan.

The proposal shall demonstrate acknowledgement and understanding of the requirements under 327 IAC 15-5 and expectation that an Erosion Control Plan must be prepared, submitted, and approved prior to construction. Appropriately designed measures for controlling erosion and sediment to prevent sediment from entering the stream or leaving the construction site must be implemented until construction is complete and all disturbed areas are stabilized.

2.4.5 LAKE LEVEL MANAGEMENT PLAN

The proposal shall describe the general plan, timeline, and costs associated with the preparation and implementation of a lake level management plan during construction, including the installation of a lake level staff gage.

Lake level management during construction will be performed by the contractor. Due to the potential need for public water supply, the lake level will need to be managed at or above an elevation of 705' NGVD '29. In addition, the proposal should recognize the need for a limited out of service time schedule for the 24" outlet pipe, as this pipe is used for both lake level control and back up public water supply. Water levels above 712' NGVD '29 may cause problems during construction depending on the construction activities at the time of the water level increase. This reservoir can rise rapidly during a precipitation event. A reservoir level increase of over 2' per inch of precipitation can be expected. The proposal should reflect the designer's understanding of the system and importance of the lake level management plan.

This task shall also include the general plan, timeline, and costs associated with the installation of a staff gage that could be located at or near the proposed public access site.

The staff gage shall be installed prior to construction and shall remain at the site after project completion. The staff gage shall show lake elevation to the nearest 0.1 foot, beginning at the base of the post, with a starting point at or below elevation 710' NGVD '29, and extending to elevation 725' NGVD '29. Staff gage material and location shall be approved by IDNR prior to installation.

Construction of any dam safety project feature will not commence until written approval is obtained from IDNR for the Lake Level Management Plan.

2.4.6 CONSTRUCTION MANAGEMENT PLAN

The proposal shall describe the general plan, staffing requirements, and costs for construction management responsibilities for the project.

A construction management plan shall be included in the proposal. The Contractor(s) and/or Designer(s) shall provide a competent and experienced on-site inspector to provide oversight assurance that the dam safety project features are constructed as specified. IDNR staff will periodically inspect the project to confirm inspection documentation. A written weekly report with photo documentation shall be provided to IDNR during construction. A final, summary report shall be provided to the IDNR upon completion of the construction phases. The final report should include all weekly reports with photo documentation and shall be provided to IDNR in both hard copy and digital formats prior to final project acceptance.

Construction Management costs shall be presented as a lump-sum cost assuming a competent construction manager on-site daily during construction.

Construction of any dam safety project feature will not commence until written approval is obtained from IDNR for the Construction Management Plan.

2.4.7 DESIGN AND CONSTRUCTION OF A PUBLIC ACCESS BOAT RAMP AND PARKING LOT – SEPARATE COST ITEM

The proposal shall describe the general plan, timeline, and costs associated with the design and construction of a public access site located at least 75' south of the proposed emergency spillway.

The public access site will include a boat ramp, parking area, and an ADA compliant loading dock. This task should be included as a separate cost item with the understanding that the IDNR will determine the need for the inclusion of this item in the final project once all the proposals and cost information is reviewed.

The contractor shall design and construct a minimum of a 20' wide x 6" thick boat launch ramp using reinforced 3000 psi or greater concrete or pre-cast concrete sections. The ramp shall extend from a low point that is a minimum of 30' beyond the low water level elevation of 710' NGVD 1929, to a height that is equivalent to the elevation of the parking area. The ramp shall be poured in place and reinforced with a minimum of ½" rebar on a 2 foot grid. The concrete surface shall be finished with a diamond shaped pattered or an angled linear groove pattern for vehicle traction. The ramp slope shall be no steeper than 8.3 degrees (12H:1V). The ramp shall have a 20' flat level section that is on a similar elevation as the parking area. Highly visible stationary markers shall be installed at the end of the boat ramp on each corner and shall extend to a minimum elevation of 717' NGVD 1929.

The launch ramp shall be located a minimum of 75 feet south of the emergency spillway in a shallow gully leading down to the lake, the specific site will be visited during the pre proposal conference. There shall be a roadway leading from the ramp to the parking area on a path that will require the least amount of tree removal (old roadway path). The parking lot shall have a minimum area of approximately one half acre or 150' x 150' square and be located along the entrance road south of the emergency spillway cut. The connecting roadways and parking area shall have a crushed limestone base and a crushed limestone, packed surface. There shall be removable barrier posts or locked gate between the parking area and spillway to keep unauthorized vehicles from entering the spillway area.

The site shall have an ADA compliant loading facility with a minimum of two (2), 20' x 17' concrete parking spaces similar to the concrete specified for the boat ramp. The loading facility can be located on the edge of the parking area, and shall have an ADA loading dock to bring an individual to the level of the boat on the trailer, approximately 4 feet. The dock shall have safety railings and loading assist handrails that will not interfere with movement of the boat on the trailer. The ramp slope or sidewalk leading to the loading dock shall not exceed 8.3 degrees (12H:1V). The loading dock and parking spaces shall be located adjacent to the parking pad or there shall be an ADA compliant sidewalk from the parking pad to the loading dock / station. See the attached compact disk for photographs of typical ADA compliant loading system ("*11 ADA Photos.ppt*").

Final design drawings and specifications for the access site shall be submitted and approved by IDNR prior to construction. The final design drawings shall be sealed by a Professional Engineer licensed in the State of Indiana.

Construction of the public access site will not commence until written approval is received from the IDNR.

A construction management plan shall be included in the proposal. The Contractor(s) and/or Designer(s) shall provide a competent on-site inspector, with oversight from IDNR, to provide assurance that the boat ramp, parking area, and ADA compliant loading facility are constructed as specified. A written weekly report with photo documentation shall be provided to IDNR during construction. A final report shall be provided to the IDNR upon completion of the construction phases.

2.4.8 HABITAT MITIGATION PLAN PREPARATION, DESIGN AND IMPLEMENTATION – SEPARATE COST ITEM

The proposal shall describe the general plan, timeline, and costs associated with the preparation of a habitat mitigation plan, design of mitigation site work, and implementation of the mitigation plan.

This task should be included as a separate cost item with the understanding that the IDNR will determine the need for the inclusion of this item in the final project once all the proposals and cost information is reviewed.

Habitat mitigation will be required for IDNR permitting. Mitigation standards can be found on the attached compact disk (“12 DNR Mitigation”). A mitigation plan shall be prepared according to the mitigation requirements and submitted along with the Engineering Report described in Section 2.4.3. Implementation of the mitigation plan includes site work, site maintenance, and report preparation during the monitoring period. IDNR will select an appropriate site for mitigation near the project site. Proposal shall be based on a final mitigation area of 15 acres.

2.5 MINORITY/WOMAN BUSINESS ENTERPRISES PARTICIPATION PLAN

A properly completed and signed form (Attachment A) must be included as part of the proposal. If the respondent is a racial minority-owned or woman owned business, an attached copy of the respondent's certification will meet this requirement. Otherwise, respondents must indicate the name of the racial minority-owned firm(s) with which it will work; the contact name and phone number at the firm(s); the service supplied by the firm(s); and the specific dollar amount *from this contract* that will be directed toward each firm. If 17.4 percent of the anticipated proceeds from this contract cannot be directed toward racial minority-owned or woman owned enterprises, the respondent may demonstrate that a minimum of 8.7 percent of overall annual proceeds (from all business) are directed to racial minority-owned or woman owned enterprises. Please note: Respondents' claims for participation will be validated prior to contract award.

SECTION THREE PROPOSAL EVALUATION

3.1 PROPOSAL EVALUATION PROCEDURE

Representatives of IDNR and IDOA/PWD will be responsible for evaluating proposals with regard to compliance with RFP requirements. All evaluation personnel will use the evaluation criteria stated in Section 3.2.

The procedure for evaluating the proposals against the evaluation criteria will be as follows:

Each proposal will be evaluated for form on a pass/fail basis. Proposals that are incomplete or otherwise do not conform to proposal submission requirements will normally be eliminated from consideration.

3.1.1 Each proposal will be evaluated on the basis of the categories included in Section 3.2. A point/percentage score will be established for each category.

3.1.2 If technical proposals are close to equal, greater weight could be given to price.

3.1.3 Based on the results of this evaluation, the qualifying proposal determined to be the most advantageous to the State, taking into account all of the evaluation factors, may be selected by IDOA/PWD and IDNR for further action, such as contract negotiations. If, however, IDOA and IDNR decide that no proposal is sufficiently advantageous to the State, the State may take whatever further action is deemed necessary to fulfill its needs. If, for any reason, a proposal is selected and it is not possible to consummate a contract with the respondent, IDOA/PWD may begin contract preparation with the next qualified respondent or determine that no such alternate proposal exists.

3.2 EVALUATION CRITERIA

Proposals will be evaluated based upon the proven ability of the respondent to satisfy the requirements of the RFP in a cost-effective manner. Each of the evaluation criteria categories is described below with a brief explanation of the basis for evaluation in that category. The percentage of the total point score associated with each category is indicated following the category name.

3.2.1 Experience of Project Team Designer(s) (15%)

The design firm(s) shall demonstrate at least five years experience working on high hazard dams. The designer(s) must demonstrate experience and give examples of engineering and scientific practice in hydrology and hydraulics, geotechnical engineering, and applied geology. If these areas are to be subcontracted, the subcontractors qualifications must be submitted.

Must demonstrate successful experience in design applications in fractured and karstic bedrock involving a water impoundment structure. These may include grouting of exposed fractures, cast in place concrete wall design, and rock excavation using limited acoustic energy which may include rock saw cutting.

Must demonstrate experience in and examples of toe drain designs using rock filter and or chimney drains.

3.2.2 Experience of Project Team Designer(s) – Individual Experience (15%)

Same as 3.2.1, but applies to the experience of the current staff expected to be assigned to the project, rather than the experience of the firm. Resumes of staff expected to work on this project should be submitted.

3.2.3 Experience of Project Team Contractor(s) – Firm Experience (15%)

The Contractor(s) shall demonstrate at least five years experience in rock excavation. This may include rock saw trenching, rock saw cutting, and low energy blasting. The Contractor(s) must demonstrate experience in dam construction, pipe installation and foundation construction, cast-in-place concrete installation, and bedrock fracture grouting. If any of these areas are to be subcontracted, the subcontractor's qualifications must be submitted.

3.2.4 Experience of Project Team Contractor(s) – Individual Experience (15%)

Same as 3.2.3, but applies to the experience of the current staff expected to be assigned to the project, rather than the experience of the firm.

3.2.5 Previous Collaborative Effort of Project Team (15%)

The Project Team shall give examples of previous projects that the Team has worked on as a collaborative effort.

3.2.6 Project Schedule (15%)

The Project Team shall be capable of designing and constructing the project in a timely fashion.

3.2.7 Total Cost of the Project (10%)

A lump sum price, add/deduct unit prices, and separate cost items as specified elsewhere in this document shall be given for the entire project.

3.2.8 Minority/Woman Business Participation Plan (pass/fail)

Members of IDNR and IDOA/PWD will review all proposals. References may be contacted. It is possible that finalists will be interviewed by persons participating in the selection process. If a recommendation to award the agreement is made to the board, the board shall schedule a public hearing on the recommendation and publish notice of the hearing one (1) time in accordance with IC 5-3-1, at least seven (7) days before the hearing. The board shall make a determination as to the most appropriate response to the request for proposals and may award the agreement to the successful offeror or offerors.